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Read 6/10/03
to

Terminal
Disclaimer

DATE: June 6, 2003

NO. OF PAGES (INCLUDING THIS PAGE): 6

FOR: Examiner Taofiq A. Solola

COMPANY: Patent and Trademark Office

FAX NO.: 1-703-308-7922

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FROM: David M. Gryte

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COMMENTS:

Application of: Ashok Anantanarayan et al.
Serial No: 10/021,780
Filed: December 7, 2001
For: SUBSTITUTED PYRAZOLES AS P38 KINASE INHIBITORS
Group Art Unit: 1626
Examiner: Taofiq A. Solola
Attorney Ref: 3015/6/US (6794-000032/COA)

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PTO/SB/97 (05-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Signature

Peggy Marie Leslie
Typed or printed name of person signing Certificate

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Fee Transmittal (1 page)
Letter (2 pages)
Terminal Disclaimer (1 page)

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Attorney Docket No. 3015/6/US
HDP Docket No. 6794-000032/COA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Anantanarayan et al.
Serial No: 10/021,780
Filed: December 7, 2001
For: Substituted Pyrazoles as p38 Kinase Inhibitors
Group Art Unit: 1626
Examiner: Taofiq A. Solola
Attorney Docket Number 3015/6/US

June 6, 2003

LETTER ENCLOSING TERMINAL DISCLAIMER

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,
SIR/MADAM:

Applicants are submitting the enclosed Terminal Disclaimer in accordance with a June 6, 2003 call between David Gryte and Examiner Taofiq A. Solola. During that call, the Examiner requested that a Terminal Disclaimer be filed to obviate a double patenting issue over U.S. Patent No. 6,423,713. The Examiner also acknowledged that the claims are otherwise allowable. Applicants are filing this Terminal Disclaimer to expedite prosecution of this patent application, and make no representation as to whether a double patenting issue actually exists.

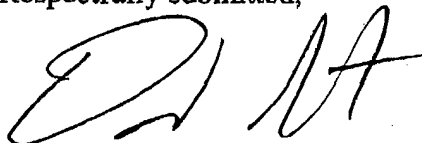
Applicants hereby authorize the Commissioner to charge the \$110.00 Terminal Disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. **08-0750**. Applicants do not believe that any additional fee is presently due for this application. If, however, any other fee is presently due, the Commissioner is hereby authorized to charge such fee to Deposit Account No. **08-0750**. In addition, if there is ever a deficiency or an overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

In view of the foregoing amendments and remarks, Applicants submit that this patent application is in condition for allowance.

Attorney Docket No. 3015/6/US
HDP Docket No. 6794-000032/COA

The Examiner is requested to call the undersigned if any questions arise that can be dealt with over the phone to expedite examination of this application.

Respectfully submitted,



David M. Gryte, PTO Reg. No. 41,809
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Suite 400, 7700 Bonhomme
Clayton, Missouri 63105
(314) 726-7500 (tel)
(314) 726-7501 (fax)

CERTIFICATE OF FACSIMILE

I certify that this is being sent via facsimile to (703) 308-7922 to the attention of
Examiner Taofiq A. Solola, Commissioner For Patents, Alexandria, Virginia 22313-1450 on
June 6, 2003.

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PTO/SB/28 (10-00)

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**Docket Number (Optional)
3015/6/US

In re Application of: Anantanarayan et al.

Application No. 10/021,780

Filed: December 7, 2001

For: Substituted Pyrazoles as p38 Kinase Inhibitors

The owner, Pharmacia Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,423,713. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.



Signature

5/6/03
Date

Scott Williams

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 110**Complete if Known**

Application Number	10/021,780
Filing Date	December 7, 2001
First Named Inventor	Anantanarayan et al.
Examiner Name	Taofiq A. Solola
Group / Art Unit	1826
Attorney Docket No.	3015/6/US(6794-000032COA)

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order
☒ Deposit Account:Deposit
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Harness, Dickey & Pierce, P.L.C.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
20 **	0	X	0	
Independent Claims	3 **	0	X	0
Multiple Dependent		X	0	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (a)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer

110.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 110)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	David M. Gryla	Registration No. Attorney/Agent	41,809	Telephone	314-726-7500
Signature		Date	June 6, 2003		

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